

# License to Die? The Meaning and Moral Permissibility of Voluntary Death

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*The aim of this article is to provide a philosophical analysis of some prominent issues concerning voluntary death. The first part examines meanings of voluntary death in recent Anglo-American philosophy, with an emphasis on Michael Cholbi's assessments, the aim being to find a suitable working definition for suicide. The second part surveys the most common arguments for the moral permissibility of suicide and offers a model for rational suicide. The last part deals with challenges these arguments and conditions may encounter in the light of some recent naturalistically inclined views of human nature.*

This article provides a philosophical analysis of some elementary aspects of voluntary death, concentrating specifically on the definition and moral permissibility of suicide as they are presented and debated by contemporary Anglo-American philosophers.<sup>1</sup> In addition, it will consider whether some of the recent currents in scientific understanding of human nature affect how we are to approach the issue of voluntary death. I call these science-leaning views naturalistic, which in this context refers primarily to methodological naturalism, understood as a proposition that while explaining natural phenomena, including human beings, scientists should not appeal to supernatural entities. Secondly, it refers to metaphysical/ontological naturalism, understood as a proposition that supernatural entities do not exist, and furthermore to a view that we should pay attention to changing scientific knowledge and at least consider the possible effects of this knowledge to our understanding of ourselves and moral practices we are involved in.<sup>2</sup>

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1 I pay specific attention to the texts of Michael Cholbi, who has written the entry on suicide in the *Stanford Encyclopedia of Philosophy*. His recent book, *Suicide. The Philosophical Dimensions*, offers a good overview of recent Anglo-American discussion on the philosophy of suicide, and is a significant contribution to the definition and moral status of suicide. (Cholbi 2011, 2012.)

2 For definitions on methodological and metaphysical naturalism, see Draper 2009. At the popular level some recent attempts to deal with the moral and existential issues that have to do with the changing picture of human nature are: Metzinger 2009; Flanagan 2007; 2011; Rosenberg 2011; Carrier 2005; Harris 2012.

Why is voluntary death a relevant issue to pay attention to in the first place? One obvious reason is the status of suicide in our society, both in the legislative realm and in the more personal sphere of people. There are, for instance, ongoing debates about the legality of physician-assisted suicide and euthanasia in several Western countries.<sup>3</sup> Another motivation for these considerations lies in the accumulation of scientific research on human nature, as mentioned above, which has the potential to dramatically change our understanding of ourselves. It seems reasonable to ask whether and in what ways some of these new findings could question our deeply-held beliefs about human agency, autonomy, and freedom, which are behind many of the liberal political ideologies at work in Western societies, including our legislation and moral arguments on the permissibility of suicide. My interest in reflecting on these perspectives is due to the visibility these kinds of naturalistic views have gained in popular culture during the past decade; it seems warranted to ponder what consequences changing worldviews could have with regard to some of our moral practices, such as our attitude towards voluntary death.<sup>4</sup> Despite many of these views being criticized by academic and religious thinkers, they have nevertheless gained some positive attention especially in the Western cultures, which can be seen in, for instance, the growing popularity of religious naturalism and atheist spirituality.<sup>5</sup>

The structure of the article is as follows: First, I describe some recent conceptions of suicide and try to form the best working definition for my own use. I do not aim at developing or finding universal truths with regard to suicide but take it that suicide is a fluid, synthetic (instead of analytic) concept, yet I try to establish some kind of suggestive definition from where to advance into thinking about the moral questions that have to do with voluntary death. In order to make sense of the debate on the permissibility of voluntary death, we need to understand what we are talking about in the first place, even if we do not see there being a single universal meaning for the term. I then present the most popular contemporary arguments for the moral permissibility of suicide and pay special attention to so-called rational suicide that to me seems most plausible and coherently justified. Lastly, I deal with naturalistically influenced criticism on rational suicide. My main questions, in short, are: what does suicide amount to as a philosophical concept,

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3 In Finland, for instance, suicide is not illegal and it is not mentioned in our criminal law. Nor is assisted suicide mentioned, which is more peculiar and may be debated in future if the euthanasia discussion receives more political attention. In the Finnish political sphere, the first positive comment for euthanasia on moral grounds was made by the Greens, although there was still no mention of the practical side of the issue. See <[www.vihreat.fi/files/liitto/Periaateohjelma2012.pdf](http://www.vihreat.fi/files/liitto/Periaateohjelma2012.pdf)>, page 5. (visited 6 August 2013)

4 Considering the possible consequences of certain views on human nature does not require taking these views as true; the question is about the inner coherence of the moral practices and worldviews or real people.

5 For the types of atheist spirituality, see Sillfors & Ronikonmäki 2013.

and in what circumstances, if any, can suicide be taken as morally permissible taking into consideration the naturalistic predicament?<sup>6</sup>

## Definition of Suicide

I will use Michael Cholbi's definition of suicide as a working tool in assessing the complexities of the concept of voluntary death. Cholbi presents an intention-based description of suicide in which he states that "[s]uicide is intentional self-killing: a person's act is suicidal if and only if the person believed that the act, or some causal consequence of that act, would make her death likely and she engaged in the behaviour to intentionally bring about her death."<sup>7</sup> For this definition to be apt, it is necessary to analyze what the different parts of the definition amount to. How does suicidal behavior differ from suicide? What is meant by intentional? What is covered in self-killing and what is not? And finally, how likely must death be anticipated in order for the behavior in question to be suicidal?

The first issue needing clarification within the idea that suicide is self-killing comes from the fact that not all suicidal acts result in death. In other words, we have a vast array of suicidal attempts and behaviors that leave the subject alive. Hence, Cholbi takes suicide to refer only to an end result of a suicidal act(s) and pays more attention to the suicidal behavior. Suicide requires an element of intentionality, and suicidal behavior is thus an act/collection of acts in which a person intentionally kills or tries to kill him/herself.<sup>8</sup> The difference between suicide and suicidal behavior can be compared to the concepts of death and dying respectively. A person can be in the process of dying but may recover without having actually died. Still, the process of dying is called dying, because the end result could have been death, considering all the necessary criteria of a human being approaching the state of death.<sup>9</sup>

Another challenge to Cholbi's definition comes from the understanding of intentionality. One of the problems here arises from the "doctrine of double effect," which acknowledges that sometimes our intention to do something has other effects that are foreseen but not intended, and these foreseen effects that would be morally

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6 It should be noted that I do not deal with the question of whether suicide, assisted suicide or euthanasia should or should not be criminalized by the state. Instead, I try to assess some of the more conceptual problems within the discourse on suicide. This means that even if suicide turned out to be morally impermissible (either universally or in some cases), it should not be assumed that suicide needs to be criminalized, as there may be other reasons for maintaining the present state of affairs.

7 Cholbi 2011, 21.

8 Ibid.

9 These criteria can include certain medically assessed mental and physical symptoms, such as mental disorientation, excessive sleeping, lowered blood pressure and body temperature, or changes in breath and skin color. Recovering from the process of dying is of course more common in a situation of emergency, such as a car accident, where the symptoms of dying are more acute (collapse of blood pressure, unconsciousness, etc.). See Nuland 1995.

unjustified as intentions can be permissible as “double effects.”<sup>10</sup> We can apply the doctrine to the concept of suicide, but without the moral evaluation. Cholbi takes an example of a soldier who jumps on a grenade to save his comrades. It is important to note that the soldier does not jump in order to die, even if that is foreseen by him, but in order to save other people. Death is not his intention, even if he knows, for a very short period of time, that he will die.<sup>11</sup> In effect, as Cholbi himself notes, suicide is very rarely motivated by an intention to die as such, but death is chosen as an instrument to acquire some other end, which may be relief from suffering, loyalty to authorities such as one’s country or God, or saving others’ lives. Cholbi therefore rejects a definition of suicide as intentional self-killing where death is the ultimate intention. Instead, he proposes intentionality to have a broader meaning in the definition of suicide, so that it covers a person’s rational endorsement of death, not necessarily one’s specific intention to die. So, for Cholbi, “[a] person’s self-killing is intentional just in case her death has her rational endorsement in the circumstances in which she acts so as to bring about her death.”<sup>12</sup>

There are some ambiguities, though, as to the “knowledge during a very short period of time,” for some acts require immediate, non-deliberate action that can hardly be counted as containing rational knowledge. One option to solve this is to change the definition to include a conditional intentionality, meaning that for suicidal people death as a probable outcome of their action has their rational endorsement or *would have had, given time to think*.<sup>13</sup> However, this does not solve the problem in the case of those who are already dead, for how can we know for sure that they really foresaw death or would have seen it given the time? It seems, therefore, that the only way to imply suicidal as an attribute of an act is by the approval of the suicidal people themselves to use that term or by their statement that they did foresee death as a likely end result before taking action. This decision would therefore leave some deaths, the soldier and grenade included, as ambiguous with regard to suicidal intent.

The strength of taking rational endorsement, or foreknowledge as William E. Tolhurst calls it, as the necessary, if not sufficient, condition for intentionality is that it also covers actual intentions to die.<sup>14</sup> What needs to be remembered, however, is that even if both the intended and foreseen outcomes are covered in the definition, this is not to say that the distinction between intention and foreseeing is morally irrelevant. From the moral point of view we can formulate a hierarchy of intentions

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10 The doctrine of double effect dates back to Thomas Aquinas. One common example is killing in self-defense. See McIntyre 2011.

11 Cholbi 2011, 27.

12 Ibid., 28. This is reminiscent of Emile Durkheim’s classic definition of suicide, which is: “suicide is applied to all cases of death resulting directly or indirectly from a positive or negative act of the victim himself, which he knows will produce this result.” (Durkheim 1951, 44. See also McMahan 2002, 456.)

13 This addition was first presented to me by Dan-Johan Eklund.

14 Tolhurst 1990, 79.

that influence the moral evaluation of the matter; for instance, the intention to die is taken as worse than only foreseeing death during an act. In real-life cases, however, it is questionable whether we can make sense of what the actual intention of the person committing suicide was, and what was just a side effect of the act. It is also worth inquiring whether the actual intentions are ever clear even to the agents of the action. As abundant psychological research has shown, most people who have behaved in a suicidal way were ambivalent about their own intentions towards dying.<sup>15</sup> The prevailing problem is also that suicide is often seen as having negative moral value and thus in many cases, which Cholbi's definition would consider suicidal, such action is not seen in this light.<sup>16</sup>

Another problem in Cholbi's definition has to do with the concept of self-killing, for it seems that in some situations a person can intend to die but the actual killing is performed by someone else. This is the case with, for instance, active euthanasia or a "suicide by cop."<sup>17</sup> Cholbi's assessment of this is that self-killing should not refer narrowly to the performer of the act, and thus exclude every external factor, be it another agent or a circumstance. Instead, a behavior can be called suicidal regardless of the causal initiation of the death or risk of it (a brave soldier did not cause the grenade to land in his foxhole) or the means of killing (a euthanized patient is killing himself even if the doctor injects the drug).<sup>18</sup> The emphasis is on the person's rational endorsement of his or her actions and the willingness and commitment to act in that way, not the actual mechanism or performance of the action. Suicidal action can also be either passive or active in nature, which becomes clear in the distinctions between active and passive suicide. Steven Luper depicts suicide as active in a case where a person takes action A, which he expects will induce death, and does A for that reason. Passive suicide is the omission of action B, such as having an operation, the result of which is that death happens sooner than it would have happened if action B had been taken, and this omission of an action is chosen particularly in order to hasten death.<sup>19</sup> The same criterion applies to a person who dies in consequence of a self-chosen hunger strike. Because in these cases the person's intention, taken in the broader meaning of the term, was death, they can in Cholbi's view be claimed to be suicides.<sup>20</sup>

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15 Cholbi 2011, 31–35. For the commonalities of psychological characters of suicidal people including the ambivalence of their action, see Shneidman 1996, 129–136.

16 For instance, the deaths of Socrates or Jesus would be suicides in Cholbi's system in the same way as Hitler's death was, but people often feel that they cannot be put in the same category because of the moral worth of Socrates and Jesus (Cholbi 2012, chapter 1). For altruistic suicides, see also Tolhurst 1990. This argument is relevant only if one sees intuitions of people or general opinion as a premise for justification.

17 Suicide by cop refers to a situation where an individual makes the police kill him to protect other citizens, as in a hostage drama. Cholbi 2011, 21.

18 Cholbi 2011, 21–22.

19 Luper 2009, 175.

20 Terence M. O'Keeffe (1990) offers an analysis of self-starvation and suicide.

Some philosophers add the condition “to not be coerced into suicidal behaviour” to the definition of suicide. It is not clear, however, what is meant by coercion. Is it always human-induced or can circumstances also be coercive? In Cholbi’s opinion, self-killing can be coerced by someone or something, and the act can still be intentional and thus fit the definition of suicide. This is the case with, for instance, a dissident who is made to choose between a self-taken poison and a shooting by a firing squad, and who then decides to take the poison. What would not be a suicide, however, is a case where someone would be hypnotized and made to act so as to induce his or her own death. In Cholbi’s assessment, that situation would be non-rational and count as a murder committed by the hypnotizer.<sup>21</sup>

The final issue in Cholbi’s definition has to do with the likelihood of death in one’s anticipation of certain behavior and its consequences. As already mentioned, at least two conditions are often required for a behavior to be suicidal: 1) a person must believe in the deathly nature of the behavior in question, and 2) a person must choose to engage in that behavior.<sup>22</sup> These conditions, however, can be problematic. For instance, people can and often do have false beliefs in killing methods and their lethality. Cholbi replies to this by saying that a condition 1) does not require knowing, just believing.<sup>23</sup> This creates an interesting outcome with regard to the differences in people’s personal beliefs about the likelihood of death from a certain action. If a subjective evaluation (=belief) creates the condition for an action to be suicidal, it means, for instance, that one person parachuting can be regarded as suicidal, because she or he willingly takes part in an activity she or he believes can be fatal; on the other hand, another parachutist is not suicidal, because she or he does not consider there to be any risk of death in the activity. Thus, the same kind of behavior can be either suicidal or not, based solely on the beliefs of the subjects of the action. Another consideration is how high in objective terms the risk of death has to be in order for an action to be suicidal. If I know that eating self-cooked blowfish has, let’s say, a 0.5 risk of fatal poisoning, and I decide to eat it, am I suicidal?

The most straightforward solution for avoiding the unwanted outcome of naming all risk-taking activities as suicidal would be to consider only those actions as suicidal in which the person takes an action specifically in order to die, whether or not, on closer inspection, the intention to die is only a means to something else. Thus, the conscious, primary intention of a suicidal person is to act in a certain way in order to die.<sup>24</sup> Consequently, such cases as a soldier jumping on a grenade

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21 Cholbi 2011, 36–37. Tolhurst (1990, 84) comes to the same conclusion that in some cases there can be coercion involved yet the act is still a suicide.

22 So the behavior of X is suicidal, if a) X believed that B or some of B’s consequences would make her dying likely (doxastic condition) and b) X engaged in B as an intention to die. Cholbi 2012, chapter 1.

23 Cholbi 2012, chapter 1.

24 O’Keeffe distinguishes in the same manner between instrumental and non-instrumental self-killings, where only the latter are suicides (see O’Keeffe 1990, 127).



would become either non-suicidal or ambiguous (we would still need to know his intentions); some cases would not be suicides even if there was a rational endorsement of a certain risk of death (death during extreme sports if the person has not acclaimed his or her wish to die while doing them), and some previously ambiguous cases would be suicides (voluntary euthanasia).

Glenn C. Graber makes a similar distinction between intentional death and death as a foreseen outcome of an action done with an intention other than death, and he includes only the former cases as suicides. The primary intention of the action must be death in order for that action to be claimed suicidal. In Graber's view, the soldier jumping on a grenade, for instance, is not committing suicide, because the primary intention is to save others and death is only an unfortunate side effect.<sup>25</sup> However, as mentioned above, we ought to know the actual mental processing of the person doing the act if we are to discover his intentions. There is a possibility that the soldier jumping on a grenade, for instance, has been thinking about killing himself, and when the grenade comes he sees his opportunity and jumps on the grenade primarily in order to die, not to save others.

Another solution to overcoming the analytical difficulties of the term suicide is to see suicidal behavior as a continuum, where different kinds of acts can be situated according to the degrees of different elements in the concept; these include intentionality, coercion, or the performing agent. The suicidal nature of some incidents would be clearer, closer to an ideal of suicide so to speak, whereas some would fall into a grayer area.<sup>26</sup> Still another option, related to the former idea, is to accept that suicide is not a universal or analytically definable concept as such but is more like a set of incidents that have a Wittgensteinian family resemblance to each other.<sup>27</sup> This means that suicidal phenomenon A (euthanasia) can resemble suicidal phenomenon B (refusal of medical treatment), but is further from suicidal phenomenon F (altruistic self-killing); yet all of them are suicides. This makes sense especially if one pays attention to different kinds of phenomena connected to voluntary death. Conceptual openness is also supported by the history of suicide, for it is not always clear what kind of self-caused death or harmful behavior is deemed suicidal.<sup>28</sup>

In conclusion, Cholbi's endeavor to find a definition for suicide is understandable as the work of an analytical philosopher, for his point is to find neutral enough ground on which to base a moral discussion. The idea of suicide as intentional self-killing offers that kind of a description, even if it cannot escape the age-old moral and emotional burden that the term suicide carries. This, however, is more of a problem for the users of language than for the philosophical work. As Cholbi

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25 Graber 1990, 139.

26 This grey area covers those cases in which our "pretheoretical dispositions" do not clearly resolve whether the term suicide is appropriate. See Tolhurst 1990, 78.

27 Cholbi 2012, chapter 1.

28 For the history of suicide in Western cultures, see Minois 1999 and van Hooff 1990.

himself acknowledges, his definition cannot cover all real-life cases, but what he tries to do is shed light on the present-day complexities involved in specifying certain behaviors and phenomena as suicidal acts, so that most incidents could initially be categorized as either a “suicide” or “not suicide.”<sup>29</sup> In the moral and legal spheres, however, which follow the definition phase, he calls for more divergent terms to capture the moral nature of various kinds of suicides. This is already evident in the different categories of killing another person: manslaughter, killing, and murder.<sup>30</sup>

## Arguments for the Moral Permissibility of Suicide

In most human cultures, suicide, like any killing, has been seen as a moral issue of some kind. In the Western hemisphere, libertarianism with its emphasis on the rights of autonomous individuals has made an impact on our jurisdictions, and is behind many of the most influential present-day views on the moral status of suicide.<sup>31</sup> There are different degrees of libertarian attitudes towards suicide: some claims emphasize duties, while some emphasize rights concerning suicide. The general background principle is the claim to the right of suicide.<sup>32</sup> Cholbi presents several possible reasons for morally justifying this claim. First, it can be stated that everyone has the right to commit suicide, because they own the object that they are about to abolish. Second, moral permissibility for suicide can be defended because killing oneself under certain conditions is seen as a mode of self-defense. The third option is to refer to self-knowledge; the person himself knows best what is in his interest and what the conditions for his well-being are. Finally, the right

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29 Cholbi 2011, 37.

30 Cholbi 2011, 34.

31 Since libertarianism is a remarkably convoluted concept and is used in ambiguous ways, I cannot delve into all its distinctions here. A very general libertarian viewpoint is based on the idea that agents own themselves fully and can acquire property rights of external things since they have certain moral powers (Vallentyne 2010). What I am referring to in this context is restricted to libertarian principles with regard to voluntary death. This is because libertarian ideas on individual rights and liberties have influenced our present-day legislation on suicide, which in most Western countries was changed during the latter part of the 20<sup>th</sup> century. There are undoubtedly many reasons behind the changes in suicide legislation, such as the decreasing influence of traditional religions or developments in psychological and psychiatric research, but the stress on personal liberties is certainly among the greatest influences on these changes (Cholbi 2011, 71). Interestingly, and in contrast to developments within psychiatry, the background for the present day libertarian view on suicide is, as Cholbi states, often based on the “anti-psychiatry” movement, which sees actions to prohibit suicide as attempts to pathologize individuals and their moral freedom. (See Cholbi 2012, chapter 3.4; See also Szasz 2002; 2011.)

32 Another more general type of claim is the right to liberty. Its basic statement is that individuals have no duty to not commit suicide. A slightly stronger claim is the right of noninterference, which argues that it is morally forbidden for others to interfere with one’s suicidal behavior. This claim is still largely debated, especially with regard to forced psychiatric care. The strongest of the libertarian claims is the claim right, which argues that others are not only morally forbidden to interfere but are morally required to assist a person who wants to commit suicide. See Cholbi 2012, chapter 3.4.



to suicide in a more general sense can be grounded on individual, sometimes rational, autonomy.<sup>33</sup>

The argument that draws on self-defense is based on a common presumption that killing another person is not morally impermissible if it is done in order to protect oneself from acute and serious bodily harm. Like Cholbi, I am not going to assess whether killing in self-defense really is morally permissible, but I will assume that at least in some cases it is, and assess whether arguments for it can be applied to self-killing, too. In essence, I am asking whether suicide can be seen as killing in self-defense.

The first puzzle, according to Cholbi, is how killing oneself can be seen as defending oneself, when the outcome is the annihilation of that very self. What kind of a threat could be bigger than death? A common route of argumentation is to take the example of a person who is suffering from a fatal and painful medical condition, and who considers that continuing life has less value than ending it. Is there a problem in seeing this as a suicide committed in self-defense? Cholbi gives several reasons why it might not be seen as self-defense. The first is that the origin of the threat towards oneself is endogenous, rising from within oneself. As he puts it, “self-defense is most naturally understood as defending oneself against something that exists independently of the self.”<sup>34</sup> However, it can be asked whether the borders between endogenous and exogenous are actually justified. Even if cancer works within one’s body, it is not under the control of oneself. Cholbi makes the correction by regarding exogenous as covering those threats that are distinct from us in an ethical sense. This means that the reason for killing oneself can be to defend oneself against those otherwise uncontrollable forces that inhibit living a life that is consistent with one’s beliefs and aspirations. In such cases, even if death is seen as bad, continued living is seen as even worse, and ending one’s life could be a more authentic act, even though there are ambiguities with regard to destroying the entity that should be authentic.<sup>35</sup> Thus, I am willing to see killing in self-defense as allowing at least some moral justification in those individual cases in which a person’s aspirations and self-image are severely and inevitably threatened by continuing to live, and the life continued would therefore, in the light of the best diagnostic criteria, be filled with suffering, be it psychological or physical in kind. The problem, in my opinion, is more about how to make sure that the threat that motivates the person’s self-killing is real and significant enough to make dying a better choice than continuing to live. Another problem is whether the choice to

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33 Cholbi 2011, 70–97.

34 Ibid., 77.

35 Ibid., 78–79.

commit suicide, in a moral sense, is purely a matter concerning the individual, and not society or some other external authority.<sup>36</sup>

The background for the argument of self-knowledge is that each person knows his or her own interests best. This argument at least partly responds to the problem of assessment of others' motives and the degree of threat to their authenticity, because the authority for making that evaluation is given to the subjects themselves. It also makes clear why killing others is not justified in the same way as killing oneself, as we can never know people's motivations and degree of suffering as well as they themselves do. For instance, if we refer to the amount of pain as a measurement for the moral justification of killing, it is the person experiencing the pain who can best assess how painful his or her condition is.<sup>37</sup>

Even though it seems that a certain kind of self-knowledge gives good grounds for the moral permissibility of suicide, several problems are involved. One issue has to do with the quantity and quality of our awareness; how knowledgeable are we actually about our present and future interests? Taking into consideration the ambiguities suicidal people seem to have about their intentions, how can we be sure their present day intentions and preferences would not change dramatically in the near future?<sup>38</sup> Once dead, there is no coming back to make a better choice, so killing oneself seems to require extremely careful consideration in order to assess all the possible futures. Also, sometimes others are better able to see the whole picture as well as future possibilities, especially if the suicidal individual's psychological condition is affected by depression or another illness, which is often the case.<sup>39</sup>

Cholbi distinguishes two main faults in the argument that one's body is one's property. Firstly, the use of one's property (in this case, killing it) can be harmful to others, especially to one's significant others as well as to the community as a whole, for instance by the loss of one's input in work or by being a negative model to others. The harm can also be more straightforward if the means of killing oneself causes physical injury to others or damages their properties. Secondly, the conditions of owning oneself are not as self-evident as with other property rights, because our body is not distinct from us as are other properties. One problem is the starting point of ownership; our existence temporally coincides with that of our bodies, so in comparison to other properties, which we have come to own at a certain moment and in a certain way (such as buying a house), it is not clear how and when our bodies become our property. Did someone else own our body

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36 The latter issue is about paternalism and suicide; whether others are ever justified in interfering with someone's suicidal behavior or whether they could be morally obliged to assist in another's suicidal act. It is a question about where the authority for moral judgments lies: in subjective selves/ persons or in an objective reality?

37 Cholbi 2011, 81.

38 Fairbairn (1995, 57–69) considers the problem of changing intentions and suicide in his *Contemplating Suicide. The Language And Ethics of Self Harm*.

39 Cholbi 2011, 82.

before us? We are also unable to distance ourselves from our bodies, as we can do with the rest of our property, nor can we entrust it to others in the same way as other properties.<sup>40</sup> In addition, in the classical liberalism of John Stuart Mill, people should not be allowed, for instance, to sell themselves, because that would inhibit their further freedom. The same applies to killing oneself, for, according to Mill, “[i]t is not freedom, to be allowed to alienate his freedom.”<sup>41</sup> The right-to-die claim is thus controversial even within the libertarian tradition.

There is an influential line of thought which states that suicide should be permissible if it is rationally chosen.<sup>42</sup> Rationality in libertarian moral theories as well as with regard to voluntary death is connected to the notion of autonomy, and the background for the emphasis on both rationality and autonomy in moral choices is largely based on Immanuel Kant’s moral philosophy and enlightenment humanism in general.<sup>43</sup>

With regard to voluntary death and the argument for its moral permissibility, it is necessary to assess what both autonomy and rationality amount to. The most basic understanding of autonomy is that autonomous individuals have the ability to guide their actions according to their own choices.<sup>44</sup> The Merriam Webster medical dictionary defines autonomy as “the quality or state of being independent, free, and self-directing.”<sup>45</sup> There are, to be sure, several further distinctions of autonomy, such as the difference between personal autonomy and moral autonomy, or variations between ideal and basic autonomy. Also, freedom is to be distinguished from autonomy, in that freedom often refers more straightforwardly to a condition without external or internal constraints affecting one’s abilities to act. If one has negative freedom, it means there are no external factors inhibiting one’s actions, whereas positive freedom entails some kind of internal control over one’s choices.<sup>46</sup> In addition, the ongoing debate on the definition of voluntariness is often connected to the notion of autonomy, and is separate from the concept of

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40 Cholbi 2011, 84–87. With regard to entrusting, however, it can be asked whether we can entrust our dead bodies to someone (e.g. for medicine) in the same way as other properties.

41 Mill 2011 (1859), 195.

42 Cholbi 2011, 88–89; Battin 1996, 114.

43 Christman 2009. This is not to say that individual autonomy was not at all discussed or present in previous Western cultures, but that the emphasis on rationality and autonomy of every individual was strongly confirmed during the 18<sup>th</sup>-century enlightenment, and lived on and still flourishes in liberal political ideologies, although the concept of personal autonomy has naturally been modified from that of Kant. On Kant’s concept of autonomy, see Formosa 2013.

44 John Christman describes individual autonomy as “an idea that is generally understood to refer to the capacity to be one’s own person, to live one’s life according to reasons and motives that are taken as one’s own and not the product of manipulative or distorting external forces.” (Christman 2009.)

45 <[www.merriam-webster.com/dictionary/autonomy](http://www.merriam-webster.com/dictionary/autonomy)> (visited 6 August 2013)

46 What positive freedom amounts to is a highly debated issue. See Carter 2012; Christman 2009; Dworkin 1995.

freedom.<sup>47</sup> Voluntariness can refer to individuals' wanting or consenting to do what they are doing or to their ability to choose what their wants are. The former is about first- and second-order desires and the latter about third-order desires. As in John Locke's famous example, one can be in a locked room voluntarily, yet not be free to leave the room.<sup>48</sup> Thus, one can be autonomous – act according to one's desires or intentions – and do things voluntarily without actually being positively free; i.e. one is not able to choose one's desires and volitions. This distinction is important, as it allows the continuing use of voluntariness and autonomy in the discourse of morality. This is possible even if our understanding of human nature and free will becomes wholly deterministic and we lose the concept of a libertarian freedom of will, by which I mean the possibility to choose our desires, whether first-, second-, or third-order in nature.

To take only the above-mentioned basic autonomy into account would still be too hasty, as it is easy to imagine individuals as autonomous in the sense that they choose their actions according to their choices. Yet they may not have specifically *rational* choices in the sense that they would be instrumentally rational (maximally efficient in achieving one's goals), theoretically rational (consistent with one's beliefs, for instance), or made by using certain intellectual capacities (such as awareness and approval of first-order desires).<sup>49</sup> Children, for instance, can often be seen as autonomous, but they lack some or all of the central elements of rationality, such as sufficient knowledge of their interests, or the capability to guide their behavior so as to increase their well-being.<sup>50</sup>

In order to understand the conceptions of autonomy and rationality within the right-to-die discussion, it is useful, as Margaret Battin has done, to separate the rationality conditions for suicide into cognitive and interest conditions.<sup>51</sup> Cognitive conditions require that an individual's appraisal of the situation be rational and well-informed. In order to make a rational assessment, individuals must have the use of certain cognitive functions, such as sensory abilities, the capability to make inferences and discuss their perceptions understandably, and a lack of paranoia or an otherwise delusional worldview. They also need to have enough knowledge of their situation, such as the prognosis of their illness. Interest conditions require that suicide in fact is in the interest of the individual. Under such conditions, dying helps avoid future difficulties, dying is at least a less harmful option than continued living in the person's situation, and dying is in accord with one's most fundamental

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47 For the debate on the conception of voluntariness, see Colburn 2008.

48 Locke 1689, *An Essay Concerning Human Understanding*, book 2, chapter 21, section 10.

49 For the definitions and conditions of rationality, see Gert 1995, 675; Christman 2009, chapter 1.2.

50 Cholbi 2011, 89. Whether children are seen as autonomous is certainly dependent on what we mean by autonomy. Here I refer to the basic understanding of the term mentioned above.

51 Battin 1996, 114–136; Cholbi 2011, 88–97.

interests and commitments.<sup>52</sup> Based on these elements, an assessment of real-life cases of suicide and their rationality could involve the following steps:

1. *Making sure that individuals have enough knowledge of the facts that are creating the urge to suicide.* This means, for instance, that they can reflect on their own psychological state and its persistence conditions, and that they know the nature and prognosis of their illness. It also means they have the broadest possible knowledge of the alternatives for suicide and the probable progression of their state and outcome within these alternatives.
2. *Making sure that individuals understand killing is a permanent solution.* This condition refers to the facility for causal and inferential reasoning. It also requires a realistic worldview that is shared by a sufficient number of other people. What is debatable is whether beliefs in an afterlife, for instance, can be counted as belonging to a realistic worldview, or whether it is enough to state that a certain group of people believe the same.<sup>53</sup> In other words, does realism refer to a certain kind of metaphysical position, such as scientific realism?
3. *Making sure there is enough reflection on one's values and worldview so that individuals are positive that dying accords with their fundamental commitments.* A very broad and holistic approach is recommended when assessing moral principles and epistemological and metaphysical positions. This could mean asking questions such as: What is the best way to gain knowledge of moral values in general and in your context? How strong is your belief in the worldview you possess? Do you think your way of seeing the world and morality could change in time? If your significant other was in your situation, how would you value his/her choice? It can also include making sure that the person understands the effect of suicide on others and on society. This means that a person can evaluate the amount of good and bad involved in a certain choice from a larger point of view. Even though this kind of other-regarding concern does not necessarily give normative value to the choice itself, considering the effect on others might be relevant for some people and is thus reasonable to deal with as a factual consequence of one's action.

This type of procedure could undoubtedly be used only in strictly organized contexts, which in the present societal situation would most often be conducted under medical care. As such, it leads us towards the conclusion that euthanasia and assisted suicide would be the closest to rational suicide in our circumstances.

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<sup>52</sup> Battin 1996, 116–136; Cholbi 2011, 90–91.

<sup>53</sup> See also Battin 1996, 118–120.

## Challenges for Rational Suicide

In terms of a broader approach to the moral status of suicide, we can ask some questions that may cast doubt on previous arguments for the moral permissibility of suicide. First, it may be relevant to ponder the issue of autonomy, rationality, and coercion within voluntary death in the light of some recent views on human nature. Second, we assume that it is meaningful to discuss moral issues. Is it?

Within a naturalistic worldview, as described previously, responses to the changing picture of humanity and its moral and societal consequences have already been developed.<sup>54</sup> If we take this kind of naturalism seriously and assume some version of determinism, understood at its simplest as a belief in causal closure, it also means that our environment and the attitudes, values and rules it contains play a major role in the way we conduct our lives. This may cause concern to the adherents of individual, rational autonomy and the right to voluntary death, for if our society approves of the right to kill oneself, there is a possibility that this alternative becomes more common just because it is a socially accepted form of behavior. This complicates the idea of coercion, because even if suicidal people do not have immediate or easily recognizable coercive agents around them, there may be aspects in their lives that have a major influence on the decision to commit suicide. It is thus yet to be defined whether a naturalistic kind of autonomy includes only acts done without external coercive agents and not, for instance, acts done because of internal coercive intentions (such as one's religious beliefs, political opinions or emotional states) or external but not agent-directed coercion (such as societal status, unemployment or loneliness). It seems also that the difference between internal and external influences is often blurred, especially if one thinks about the causal yet not agent-induced power of such life-transforming events and conditions as abuse in childhood, depression, other illnesses or traumas, addictions, accidents or war.

In essence, the question is whether we are ever rational in the way required by the aforementioned conditions. Is there enough room for the rational capacities, autonomy, freedom, and voluntariness that are needed for rational suicide? Clinical findings on suicidal people imply that people seem to have fantasies of and beliefs in a "better afterlife," so death is not necessarily seen as an end to one's personal existence.<sup>55</sup> Also, according to evolutionary psychological theories, we seem to have strong intuitions about dualistic personhood and an afterlife, which can influence our understanding of death and strengthen these fantasies, even if these intuitions are not deterministic or insurmountable as such.<sup>56</sup>

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<sup>54</sup> See note 2.

<sup>55</sup> See page 5.

<sup>56</sup> See, for instance, Bering 2002; 2008; Boyer 2006.



There also seem to be deeper meta-ethical questions involved here, such as what makes something good or bad and how different values should be prioritized. Should we prefer the rights of an individual (right to die) or give more emphasis to the community (effect of suicide on the welfare of others and the community as a whole)? And above all, does a naturalistic worldview permit any kind of conclusions on moral permissibility or impermissibility? Alex Rosenberg calls for moral nihilism as the only justifiable alternative with regard to naturalistic ethics. He states, though, that this does not mean that people would not continue to behave “nicely.” Humans are wired to have similar core moral beliefs across cultures, motivated mostly by our emotions, which direct our behavior. The cultural differences in moral norms come basically from varying factual beliefs.<sup>57</sup> Talking about rightness and wrongness (morality) is also very different from considering the goodness or badness of an act (axiology). Goodness or badness can be measured against a chosen indicator, such as physical suffering, amount of negative emotions, or harm to others, whereas justifying acts as right or wrong requires reference to meta-ethical principles. Axiology can be used as a guideline in the applications of casuistry if the chosen indicators of value are explicit, in which case judgments about the permissibility or impermissibility of an act need not be based on any universal moral codes but are case-specific. In this manner, suicide could be seen as permissible in a specific individual situation if we have weighed the pros and cons with reference to chosen indicators, such as the amount of suffering or harm which others experience.

Bearing this in mind, I am inclined to leave the decision on the moral permissibility of suicide open, and instead encourage the use of rational conditions as an ideal reference point for individual, case-by-case incidences of voluntary death.<sup>58</sup>

## Conclusion

The concept of suicide is ambiguous but it is still important to discuss it, especially because of its real-life relevance and the differing moral sentiments attached to it. Considering the naturalist predicament and the vagueness of the definition of suicide, it seems that the safest way to assess its moral and legal status is to deal with different cases of voluntary death separately. A universal commandment such as “Thou shalt not kill yourself” is thus not the best moral philosophical solution, at least not in the naturalistic context. This means that euthanasia, assisted suicide, self-accomplished suicide, and suicidal behavior, for instance, should not be seen as having the same moral (and legislative) status, even if they are all on the continuum of suicidal phenomena. Whereas suicidal behavior can in many cases

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<sup>57</sup> Rosenberg 2011, 94–145. For evolutionary biology and morality, see FitzPatrick 2008.

<sup>58</sup> Arguments for autonomy as an ideal can be found in Szasz 2002, 110. Christman 2009, chapter 1.1.

be judged as irrational and harmful to both the individual and society, euthanasia on the contrary could often be seen as both rational and following the interests of an individual. Whether all the rational conditions are ever fulfilled in real-life cases is yet another question, as is the actual state of suicide in our legislation and the justification for it. In our democracy these are choices for the electorate, not philosophers.

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